

REMARKS

Applicants reply to the Office Action dated January 23, 2012 within three months. Claims 1-6 and 8-46 were pending in the application. The Examiner rejects claims 1, 2, 43 and 44. Reconsideration of this application is respectfully requested.

Applicants thank the Examiner for the indication of allowable subject matter in claims 34-42 and the allowable subject matter in claims 3-6 and 8-33 that depend from a rejected base claim.

The Examiner rejects claims 1-2, 43, and 44 under 35 U.S.C. 103(a) as being unpatentable over Kanbara (US Patent No. 5689737) in view of Miyazawa (US Patent No. 5237365). Applicants respectfully traverse these rejections.

In particular, the Examiner states that, even though the previously allowable subject matter of claim 7 has been incorporated into claim 1, such subject matter is obvious in view of the combination of the disclosures of Kanbara and newly cited reference Miyazawa.

Applicants strongly disagree. In particular, Applicants respectfully assert that the Examiner has incorrectly interpreted the disclosures of Miyazawa and Applicants assert that Miyazawa teaches determining a **number of samples** in accordance with the determination result. Miyazawa teaches acquiring the amount of shaking, m, by calculating the difference between a previous shake output (position of the pupil of a user) with a current shake output (e.g., col. 5, lines 15-21). In synchronism with a timing signal, the shake amount calculation section 5 **predicts** the total amount of shaking while the shutter is open from the previous shake output and the current shake output (e.g., col. 5, lines 61-66). Lastly, the shutter enabled discriminating section 6 **delays the shutter-opening timing** until the predicted amount of shaking decreases to within an allowable range.

However, Applicants assert that the disclosure of Miyazawa clearly states that the shutter speed is calculated “based on a sensitivity of a film to be loaded in the camera and brightness information of an object” (e.g., col. 1, lines 60-62). Therefore, even if the shutter opening timing is delayed, once the shutter is open, the shutter speed is essentially constant for a single photograph to be taken. Importantly, Miyazawa does not include any teaching or disclosure of determining a number of samples in accordance with the amount of shaking determination result (i.e., temporal change in shaking motion versus a predetermined threshold). Instead, Miyazawa only teaches **delaying the opening of the shutter and then using the period determined by the essentially constant shutter speed**.

In strong contrast to Miyazawa, the claimed invention chooses the appropriate number of samples (i.e., sample frequency) to be taken **within the period determined by the shutter speed** so as

to optimize the sampling. Thus, it becomes “possible to obtain the locus data required for the shaking motion correction of the locus, without increasing the amount of information” and “it is possible to make the volume of the stored data smallest. In addition, there is no need to increase the sample frequency for the entire period, thereby reducing the power consumption” (e.g., paragraph [0472] of Applicants’ publication).

Therefore, even if the teachings of Kanbara were to be combined with the predictive shaking motion detection of Miyazawa, one skilled in the art could still not arrive at the claimed invention. Significantly, Miyazawa provides no teaching or disclosure of changing the sampling frequency, i.e., the timing signal output or the sampling period in Miyazawa (e.g., col. 5, line 49 to col. 6, line 11 of Miyazawa). This combination would simply result in a system which delayed the shutter opening by some amount of time until the shaking motion decreased to within an allowable range, as described by Miyazawa.

As such, Applicants strongly assert that neither Kanbara, Miyazawa nor any combination thereof, disclose or contemplate determining the number of samples in either and therefore it would not be obvious to arrive at the invention defined by independent claim 1. Kanbara in view of Miyazawa would not arrive at the claimed invention defined by claims 1-2 and 43-44, contrary to the Examiner’s assertion and the present obviousness rejections should be withdrawn.

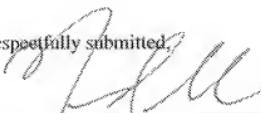
Moreover, dependent claims 2 and 44 variously depend from independent claims 1 and 43. Therefore, Applicants assert that dependent claims 2 and 44 are patentable for at least the same reasons stated above for differentiating independent claims 1 and 43, as well as in view of their own respective features.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-2814. Applicants invite the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

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Respectfully submitted,

  
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